



UNITED STATES
PATENT AND
TRADEMARK OFFICE

AUG 9 2002

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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#13

In re Application of
Tony N. Frudakis et al
Serial No.: 09/590,583
Filed: June 8, 2000
Attorney Docket No.: 210121.419

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: PETITION DECISION
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This is a decision on the Petition under 37 CFR 1.181, filed May 21 2002, to Withdraw Holding of Abandonment based on filing of a timely reply to the Office action mailed August 15, 2001.

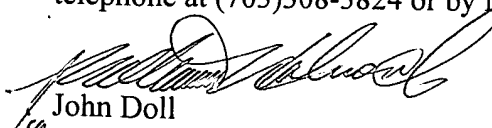
A review of the file history shows that the examiner mailed a first Office action to applicant on August 15, 2001, setting a one month shortened statutory period for reply. Applicants replied on October 15, 2001 (executed Certificate of Mailing), however the reply was not actually received by the Office until December 31, 2001 and was never correlated with the file. On May 9, 2002, a Notice of Abandonment was mailed to applicants. On May 21, 2002, this petition was filed accompanied by a copy of the previously filed amendment. The original copy of this petition has not been correlated with this file, but a facsimile transmitted copy, filed April 3, 2002, with the examiner, is being used. In view of the above facts, the Notice of Abandonment, mailed May 9, 2002, was mailed in error and is hereby withdrawn and the application restored to pending status.

Applicant's petition under 37 CFR 1.181 is GRANTED.

The fee of \$110.00 for a one month extension of time for the reply submitted October 15, 2001, has been received.

The application will be forwarded to the examiner for further consideration.

Should there be any questions with respect to this decision, please contact William R. Dixon, Jr., by mail addressed to: Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703)308-3824 or by facsimile transmission at (703) 308-7922.


John Doll

Director, Technology Center 1600